

# Exhibit A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

VYTACERA BIO, LLC,

Plaintiff,

v.

CYTOMX THERAPEUTICS, INC.,

Defendant.

C.A. No. 20-333-LPS-CJB

**PLAINTIFF VYTACERA BIO, LLC'S RESPONSES AND OBJECTIONS TO  
DEFENDANT CYTOMX THERAPEUTICS, INC.'S THIRD SET OF  
INTERROGATORIES TO PLAINTIFF, VYTACERA BIO, LLC (NO. 15)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Vytacera Bio, LLC ("Vytacera"), hereby responds to Defendant CytomX Therapeutics, Inc.'s ("CytomX") Third Set of Interrogatories to Plaintiff, Vytacera Bio, LLC (No. 15) as follows:

**GENERAL OBJECTIONS**

Plaintiff hereby incorporates by reference its General Objections to Defendant's First Set of Interrogatories as if fully set forth herein.

## SPECIFIC RESPONSES

### Interrogatory No. 15:

To the extent You contend that any of the four references identified in CytomX's Initial Invalidity Contentions, (i.e., Waldmann (WO 2002/030460), Wuest (21 Oncogene 4257-65 (2002)), Trouet (WO 2001/091798), and D'Amico (U.S. Pat. No. 6,368,598)), does not disclose each and every limitation of each asserted claim, either expressly or inherently, set forth your contentions regarding each such reference, including, for each asserted claim, the identification of each claim limitation that You believe is not present in the reference, and your contentions as to why the portion(s) of the reference cited in Exhibits A-D to CytomX's Initial Invalidity Contentions fail to disclose the limitation.

### **Vytacera's Response:**

In addition to its General Objections, which are incorporated here by reference, Vytacera objects to this interrogatory as being ambiguous, vague, and indefinite. Vytacera further objects to this interrogatory to the extent that it requires an expert opinion. Vytacera reserves the right to object on any additional grounds, at any time, to this interrogatory.

Subject to and without wavier of the foregoing general and specific objections, Vytacera states that this interrogatory is premature in view of the Court's deadlines for fact and expert discovery. Vytacera states that discovery is on-going, so facts relevant to Vytacera's contentions will likely emerge during fact discovery and through expert testimony. Vytacera will amend its response following the completion of expert discovery or in response to positions the parties take during this litigation and that necessitate an amended response. Vytacera reserves the right to supplement this response with additional materials and information as discovery and investigation are continuing.

Subject to its General and Specific Objections, Vytacera states: see second supplemental response to Interrogatory No. 5. Vytacera further objects because an element-by-element chart comparing the patents-in-suit to Exhibits A-D is irrelevant, because, as shown by Vytacera's second supplemental response to Interrogatory No. 5, Exhibits A-D are not prior art because they either teach away from the patents-in-suit or they would not be a reference that a person of ordinary skill in the art would consider in developing the inventions covered by the patents-in-suit.

Dated: May 28, 2021

Respectfully submitted,

STAMOULIS & WEINBLATT, LLP

/s/ Stamatios Stamoulis

Stamatios Stamoulis (#4606)

Richard C. Weinblatt (#5080)

800 N. West Street, Third Floor

Wilmington, DE 19801

(302) 999-1540

stamoulis@swdelaw.com

weinblatt@swdelaw.com

Of Counsel:

Christopher Belter

[cbelter@goldbergsegalla.com](mailto:cbelter@goldbergsegalla.com)

Michael A. Siem

[msiem@goldbergsegalla.com](mailto:msiem@goldbergsegalla.com)

GOLDBERG SEGALLA LLP

711 Third Avenue, Suite 1900

New York, New York 10017

Telephone: (646) 292-8700

Lynn Lehnert

[llehner@goldbergsegalla.com](mailto:llehner@goldbergsegalla.com)

GOLDBERG SEGALLA LLP

8000 Maryland Avenue, Suite 640

St. Louis, Missouri 63105

Telephone: (314) 446-3359

Attorneys for *Vytacera Bio, LLC*